

REMARKS

The claims have been amended to more clearly define the invention as described in the written description. In particular, claims 7, 9 and 11 have each been made proper independent claims and include the limitations of the parent and any intervening claims. In addition, claim 4 has been cancelled, while claims 1 and 17 have been amended to include the limitations of cancelled claim 4.

The Examiner has rejected claims 1, 3, 12-15, 17, 19 and 20 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0046196 to McKernan. The Examiner has further rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over McKernan, in view of U.S. Patent Application Publication No. 2004/0158627 to Thornton. In addition, the Examiner has rejected claims 5, 8 and 10 under 35 U.S.C. 103(a) as being unpatentable over McKernan in view of U.S. Patent 4,831,449 to Kimura and further in view of U.S. Patent 5,129,106 to Hill et al. Further, the Examiner has rejected claim 9 under 35 U.S.C. 103(a) as being unpatentable over McKernan in view of Kimura, and further in view of Hill et al. in further view of Thornton. Moreover, the Examiner has rejected claims 6, 16 and 18-20 under 35 U.S.C. 103(a) as being unpatentable over McKernan in view of Kimura. The Examiner has furthermore rejected claims 7 and 11 under 35 U.S.C. 103(a) as being unpatentable over McKernan in view of Thornton.

Applicants believe that the Thornton publication is an improper reference in that the filing date thereof, February 11,

2003, falls after the Priority Date, December 16, 2002, of the subject application. In particular, the subject application is a 35 U.S.C. 371 extension of International Patent Application No. PCT/IB03/05275, filed November 17, 2003, which, in turn, claimed priority on European Patent Application No. 02080309.4, filed December 16, 2002, a certified copy of which (in English) was filed in the USPTO by WIPO on June 10, 2005.

Applicants therefore submit that any rejection incorporating Thornton should fall.

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1, 3 and 5-20, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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